

Memorandum of Understanding with AFGE Local 2923  
re NIEHS Internal Practices for Bargaining Unit Security Investigations

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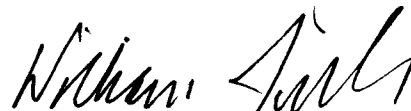
Unless or until regulations and/or procedures change at higher levels (above NIEHS), the following practices apply at the NIEHS level:

Current Background Investigation Documents: Employee resume, SF-87, Fingerprint Chart; Standard Form 85P, Questionnaire for Public Trust Positions; HHS Credit Release Form; and OF Form 306, Declaration for Federal Employment.

1. Whenever a determination is made by NIEHS management that a position requires a higher level of security clearance, Collective Bargaining Unit (CBU) employees will be provided with a copy of this policy, which includes information on how to contact Local 2923 ([afge2923@niehs.nih.gov](mailto:afge2923@niehs.nih.gov)).
2. Whenever an initiative requires background investigations involving CBU employees, the Union will be notified about the initiative and the scope of the required review.
3. As in the past, this shall be treated as a regular work assignment, using a reasonable amount of duty hours for completion. NIEHS CBU employees whose position requires a background investigation will be allowed a reasonable time over a period of six (6) work days to compile and submit the required information, except in extenuating circumstances which require immediate submissions; in no event will the employee be given less than three (3) work days. Reasonable extensions may also be granted by the responsible management official; i.e., such as for an extended illness or other work assignment priorities. If updated information is requested by NIEHS officials, the employee will be given until close of business the following work day to provide the data.
4. Unless or until procedures change at higher levels (above NIEHS), the completed application forms of CBU employees who perform sensitive duties requiring security clearances shall remain restricted from immediate supervisors (only released on a "need to know" basis to cleared officials involved in the investigative process); "Disclosure of Information" assurances are included on the instructions to the SF-85 and SF-85P, and will be strictly applied.
5. There is an online NIEHS training presentation that includes links to current regulatory documents and provides contact information for the agency and the CBU representative for assistance as needed.
6. At the conclusion of a background investigation where the discretion is left to NIEHS to determine the employee's suitability for their position, the agency may at its discretion consider the appropriateness of reassignment to other more suitable work at the same grade and pay if possible; and if a decision is made to terminate, existing Human Resources policies and procedures will be applied, and the employee will be notified of the reasons for the termination in writing.



Richard A. Freed, ADM, NIEHS  
December 12, 2005



William Jirles, AFGE Local 2923  
December 12, 2005